REMARKS

Claims 1-2, 5-14, 17-18, and 25-63 were pending prior to the above amendment. Claims 1-2, 5-11, 13-14, 25-33, 35-38 and 47 are amended for clarity.

The Examiner objected to Claims 1, 37 and 47 for informalities. As amended, Claims 1, 37 and 47 are believed to have overcome the Examiner's objection.

Claims 1-2, 5-14, 17-18, and 25-63 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 5-13, and 17-19 of U.S. Pat. No. 7,050,962. As the Examiner has indicated allowable subject matter in Claims 17-18 and 57-63, Applicant submits herewith a Terminal Disclaimer under 37 C.F.R. § 1.321(c), to obviate the Examiner's double-patenting rejection.

Claims 1, 2, 5-14, 25-56 are rejected under the second paragraph of 35 U.S.C. § 112. The Examiner states:

> Regarding Claims 1 and 37 the phrases "receiving data packets designating the electronic device" and "transmitting the data packets" render the claim indefinite because it is unclear as what the electronic device is designated and because it is unclear as which device receives the data packets and transmits the data packet. Also the phrase For the purpose of examining this claim, the examiner interprets "receiving data packets designating the electronic device" and "transmitting the data packets" as the host computer data packets designating the electronic device as the source and transmits the data packets.
>
> ... Regarding Claims 25 and 47, the phrases "receiving data packets" and "transmitting the data packets" render the claim indefinite because it is unclear as which device receives the data packets and transmits the data packet. For the purpose of examining this claim, the examiner interprets 'receiving data packets' as the host

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> computer receiving data packets designating the electronic device as the source and transmits the data packets.

As amended, Claims 1, 25, 37 and 47 and their selected dependent claims are believed to have overcome the Examiner's rejection.

The Examiner rejected Claims 34 and 56 under U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner states:

> The claimed subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim recites, "Modifying includes inserting a preamble in the data packet." This clause makes it fail the enablement requirement since nowhere in the specification can it be found to support 'inserting a preamble in the data packet'.

Applicant respectfully traverses the Examiner's rejection. Applicant's Specification, at page 7, line 32 to page 8, line 2, and again at page 9, lines 15-20, teaches repackaging data packets received from the circuit simulation for transmission to the network. As Applicant's Specification also teaches by way of example, at page 7, lines 14-17 and again at page 9, lines 31-35, removing a preamble when transferring a data packet from the network to the circuit simulation, one skilled in the art would be enabled by these teachings to insert a preamble when sending a data packet in the reverse direction (i.e., from the circuit simulation to the network). In light of Applicant's teachings at pages 7-9 in Applicant's Specification, Applicant submits that the Examiner's rejection does not satisfy the requirement in MPEP § 2164.04 for an enablement rejection, which states, in part,

> In order to make a rejection, the examiner has the initial burden to establish a reasonable basis to question the

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> enablement provided for the claimed invention. *In re Wright*, 999 F.2d 1557, 1562, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993) (examiner must provide a reasonable explanation as to why the scope of protection provided by a claim is not adequately enabled by the disclosure). A specification disclosure which contains a teaching of the manner and process of making and using an invention in terms which correspond in scope to those used in describing and defining the subject matter sought to be patented must be taken as being in compliance with the enablement requirement of 35 U.S.C. 112, first paragraph, unless there is a reason to doubt the objective truth of the statements contained therein which must be relied on for enabling support.

Thus, Applicant respectfully submits that Claims 34 and 56 are enabled by Applicant's Specification. Reconsideration and allowance of Claims 34 and 56 are therefore requested.

The Examiner rejected Claims 1-2, 25-26, 37-38 and 47-48 under 35 U.S.C. § 102(e) as being anticipated by US Patent 6,389,379 ("Lin"). Concerning Claim 1, the Examiner states

> Lin teaches a method for simulating an electronic device that interacts with a network, the simulation being carried out by a program executing in a host computer, the simulation includes simulating the electronic device's interaction with the network (col. 22, lines 13-18), the method comprising:
>
> (a) receiving data packets designating the electronic device from the network through a network interface (col. 11, lines 40-44); and
>
> (b) transmitting the data packets to the simulation through a software interface to provide data packets for simulating the electronic device's interaction with the network (col. 11, lines 40-44).

Applicant respectfully traverses the Examiner's rejection. The Examiner's reasons for rejecting Claim 1, as stated above, are not supported by Lin. Applicant reproduces

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below the two portions of Lin's teachings that the Examiner relied upon:

> FIG. 1 shows a high level overview of one embodiment of the present invention. A workstation 10 is coupled to a reconfigurable hardware model 20 and emulation interface 30 via PCI bus system 50. The reconfigurable hardware model 20 is coupled to the emulation interface 30 via PCI bus 50, as well as cable 61.
>
> (Lin, at col. 22. lines 13-18)

> Because the RCC computing system-generated software clock is the time base for the debug session, simulated and hardware-accelerated data are synchronized with any data that is delivered between the coverification system and the external interface.
>
> (Lin, at col. 11, lines 40-44)

As evident from the above, in neither portions does Lin teach Claim 1's "simulation being carried out by a program executing in a host computer, the simulation includes simulating the electronic device's interaction with the network." Is the Examiner construing Lin's "reconfigurable hardware model 20" to be a "program executed in a host computer?" If so, the Examiner's construction is invalid because Lin teaches at, col. 24, lines 28-32 that the reconfigurable hardware model is an array of FPGA chips:

> The reconfigurable hardware model 20 comprises an array of field-programmable gate array (FPGA) chips that can be programmably configured and reconfigured to model the hardware portion of the user's electronic system design.

Lin's col. 11, lines 40-44 also does not support the Examiner's contention. As reproduced above, Lin's col. 11, lines 40-44 teaches an "RCC computing system," which is related neither by the Examiner nor by Lin to any of the elements "workstation 10," "reconfigurable hardware model 20," "emulation interface 30" or "PCI bus system 50" taught at Lin's col. 22. In any event, as reproduced in the above, Lin's col. 11, lines 40-

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44, does not teach "receiving" or "transmitting" data packets. Therefore, Applicant respectfully submits that the Examiner fails to show how Lin's teachings at cols. 11 and 22 -- on which the Examiner relied -- anticipated Applicant's Claim 1. As the Examiner's rejections of Claims 2, 25-26, 37-38 and 47-48 are predicated upon the Examiner's discussion regarding Claim 1, Applicant respectfully submits that the Examiner also fails to show how Lin anticipates any of Applicant's Claims 2, 25-26, 37-38 and 47-48. Reconsideration of Claims 1-2, 25-26, 37-38 and 47-48 are accordingly requested.

Under 35 U.S.C. § 103(a), the Examiner rejected (i) Claims 5, 27, 39 and 49 as being unpatentable over Lin, in view of U.S. Patent 5,303347 ("Gagne"); (ii) Claims 6, 28. 40 and 50 as being unpatentable over Lin, in view of the article "The Performance of TCP/IP for Networks with High Bandwidth-Delay Products and Random Loss" by Lakshman ("Lakshman"); (iii) Claims 7-9, 29-31, 41-43 and 51-53 as being unpatentable over Lin, in view of U.S. Patent 5.761,486 ("Watanabe"); (iv) Claims 10, 32, 44 and 54 as being unpatentable over Lin, in view of the article "Simulation Studies of the Behavior of Multihop Broadcast Networks" by Elsanadidi and Chu ("Chu"); (v) Claims 11-12, 33, 45-46 and 55 as being unpatentable over Lin, in view of U.S. Patent 6,757,367 ("Nicol"); and (vi) Claims 13-14 and 35-36 as being unpatentable over Lin, in view of abandoned U.S. patent application 08/937,023 ("Hrischuk").

Applicant respectfully traverses the Examiner's rejection. As the Examiner relied upon his discussion of Claim 1 in each of these rejections, and as shown above, the Examiner fails to show how Lin teaches the elements of Claim 1, each of these rejections fail for substantially the same reasons discussed above with respect to Claim 1. Reconsideration and allowance of Claims 5-14, 27-33, 33-36, 39-46 and 49-55 are

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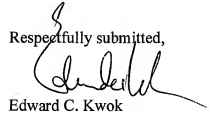
therefore requested.

The Examiner allowed Claims 17-18 and 57-63, conditioned upon Applicant's Terminal Disclaimer.

For the above reasons, Applicant respectfully submits that all pending claims (i.e., Claims 1-2, 5-14, 17-18 and 25-63) are allowable. If the Examiner has any questions, the Examiner is requested to telephone the undersigned at (408) 392-9250.

Fee Authorization: The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257.

Respectfully submitted,



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